

HOUSE BILL 2876
By Walley

AN ACT to authorize the execution of, and to give advance approval to, a compact between the State of Tennessee and the State of Mississippi, for the purpose of promoting the development of an undeveloped rural area in Marshall County, Mississippi and Fayette County, Tennessee, to establish a joint agency and other offices for the administration of the compact; and for related purposes. This act makes appropriations for the Chickasaw Trail Economic Development Authority for \$100,000 for fiscal year 1996-97.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The Governor, on behalf of this state, is hereby authorized to execute a compact, in substantially the following form, with the State of Mississippi; and the General Assembly hereby signifies in advance its approval and ratification of such compact, which compact is as follows:

CHICKASAW TRAIL ECONOMIC DEVELOPMENT COMPACT

Article I. The purpose of this compact is to promote the development of an undeveloped rural area of Marshall County, Mississippi and Fayette County, Tennessee (hereinafter referred to as "Chickasaw Trail Economic Development Area"), and to create a development authority which incorporates public and private partnerships to facilitate the economic growth of such areas by providing developed sites for the location and construction of manufacturing plants, distribution facilities, research facilities, regional and national offices with supportive services and facilities, and to establish a joint interstate authority to assist in these efforts.

Article II. This compact shall become effective immediately whenever the states of Tennessee and Mississippi have ratified it and Congress has given consent thereto.

Article III. The states which are parties to this compact (hereinafter referred to as "party states") do hereby establish and create a joint agency which shall be known as the Chickasaw Trail Economic Development Authority (hereinafter referred to as the "Authority"). The membership of the Authority shall consist of an appointee of the Governor of each party state, each state's chief economic development official or his/her representative, appointee of each of the member counties board of supervisors/county legislative body, selected from nominees from the county's industrial development board, and an appointee of the property owners' group. The appointive member of the authority shall serve for terms of four (4) years. Vacancies on the Authority shall be filled by appointment by the Governor or the appropriate appointing authority for the unexpired port of the term. The members of the Authority shall not be compensated, but each shall be entitled to actual expenses incurred in attending meetings, or incurred otherwise in the performance of his/her duties as a member of the Authority. The members of the Authority shall hold regular quarterly meetings and such special meetings as its business may require. They shall choose annually a chairman and vice-chairman from among their members, and the chairmanship shall rotate each year between the party states. The secretary of the Authority (hereinafter provided for) shall notify each member in writing of all meetings of the Authority in such a manner and under such rules and regulations as the Authority may prescribe. The Authority shall adopt rules and regulations for the transaction of its business; and the secretary shall keep a record of all its business, and shall furnish a copy thereof to each member of the Authority. It shall be the duty of the Authority in general, to promote, encourage, and coordinate the efforts of the party states to secure the development of the Chickasaw Trail Economic Development Authority. Toward this end, the Authority shall have power to hold hearings; to conduct studies and surveys of all problems, benefits, and other matters

associated with the development of the Chickasaw Trail Economic Development Area and to make reports thereon; to acquire, by gift or otherwise, and hold and dispose of such money and property as may be provided for the proper performance of their function; to cooperate with other public or private groups, whether local, state, regional, or national, having an interest in economic development; to formulate and execute plans and policies for emphasizing the purpose of this compact before the Congress of the United States and other appropriate officers and agencies of the United States and the respective states; and the exercise of such other powers as may be appropriate to enable it to accomplish its functions and duties in connection with the development of the Chickasaw Trail Economic Development Area and to carry out the purposes of this compact.

Article IV. The Authority shall appoint a secretary, who shall be a person familiar with the nature, procedures, and significance of economic development and the informational, educational and publicity methods of stimulating general interest in such developments, and who shall be the compact administrator. His/her term of office shall be at the pleasure of the Authority, and he/she shall receive such compensation as the Authority shall prescribe. He/she shall maintain custody of the Authority's books, records, and papers, which he/she shall keep at the office of the Authority, and he/she shall perform all functions and duties, and exercise all powers and authorities, that may be delegated to him/her by the Authority.

Article V. Each party state agrees that, when authorized by its Legislature, it will from time to time make available to the Authority such funds as may be required for the establishment and operation of the Authority and the support of the development of specific projects. The State of Tennessee appropriates one hundred thousand dollars (\$100,000) for the current fiscal year to be matched by a similar amount by the State of Mississippi and matching funds from the Tennessee Valley Authority. The appropriation will be made to the Tennessee Department of Economic and Community Development.

The purpose of such funds is to provide for organizational expenses, engineering, land use, financial and legal analyses and feasibility studies.

Article VI. Nothing in this compact shall be construed to conflict with any existing statute, or to limit the powers of any party, state, or to repeal or prevent legislation, or to authorize or permit curtailment or diminution of any other economic development project, or to affect existing or future cooperative arrangement or relationship between any federal agency and a party state.

Article VII. This compact shall continue in force and remain binding upon each party state until the Legislature or Governor of each or either state takes action to withdraw therefrom; provided that such withdrawal shall not become effective until six (6) months after the date of the action taken by the party state by the Secretary of State of the party state which takes such action.

SECTION 2. There is hereby granted to the Governor, to the members of the Authority for Tennessee, and to the compact administrator all the powers provided for in such compact and in this Act. All officers of the State of Tennessee are hereby authorized and directed to do all things falling within their respective jurisdictions which are necessary or incidental to carrying out the purpose of such compact.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.